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Case Docket No. 5308-223CT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Sumakeris *et al.*

Confirmation No.: 2561

Serial No.: 10/714,214

Group Art Unit: 1763

Filed: November 14, 2003

For: ELECTRICAL CONNECTORS AND METHODS FOR USING THE SAME

Date: March 2, 2004

Office of Patent Legal Administration  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCORD THE PROPER FILING DATE**

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicants hereby petition to grant the proper filing date of November 14, 2003 rather than November 17, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of November 14, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

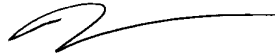
1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt along with a copy of the USPS-Track & Confirm from the web page ([www.usps.com](http://www.usps.com)), showing "acceptance" or deposit date with the USPS at 5:39 p.m. on November 14, 2003; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicants were improperly given the filing date of November 17, 2003 instead of the Express Mail date of November 14, 2003.

This petition is being filed promptly after Applicants became aware of the improperly accorded filing date. Accordingly, Applicants respectfully request the granting of November 14, 2003 as the filing date pursuant to 37 CFR § 1.10.

In re: Sumakeris *et al.*  
Serial No.: 10/714,214  
Filed: November 14, 2003  
Page 2

On the basis that Applicants properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicants' belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

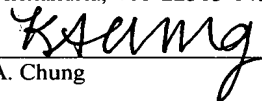


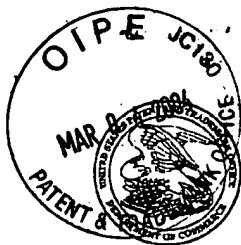
David D. Beatty  
Attorney For Applicants  
Registration No. 38,071

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

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Katie A. Chung



## UNITED STATES PATENT AND TRADEMARK OFFICE

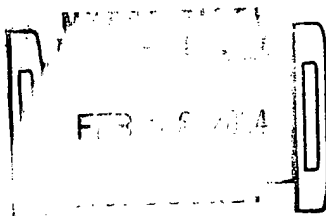
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/714,214	11/17/2003	1763	856	5308-223CT	9	7	4

20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627



CONFIRMATION NO. 2561

## FILING RECEIPT



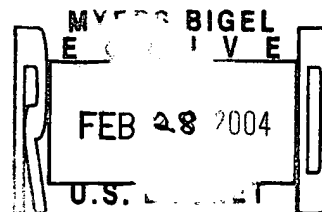
\*OC000000011958125\*

Date Mailed: 02/24/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Joseph John Sumakeris, Apex, NC;  
Michael James Paisley, Garner, NC;



## Domestic Priority data as claimed by applicant

This application is a CON of 10/017,492 10/30/2001

## Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Security Review

Non-Publication Request: No

Early Publication Request: No

## Title

Induction heating devices and methods for controllably heating an article

## Preliminary Class

118

02-26-04 A09:44 IN

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5308-223CT

DATE: November 14, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application  
☒ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 10/017,492; filed October 30, 2001, the disclosure of which is incorporated herein by reference in its entirety.  
☐ and claims the benefit of Provisional Application No. \_\_\_\_\_; filed \_\_\_\_\_.

Inventor(s) or Application Identifier:

**Joseph John Sumakeris – Apex, North Carolina**  
**Michael James Paisley – Garner, North Carolina**

Entitled: **INDUCTION HEATING DEVICES AND METHODS FOR CONTROLLABLY  
HEATING AN ARTICLE**

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 19 pages of Specification (including 42 claims)
3. ☒ 9 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
  - a. ☐ newly executed (*original or copy*)
  - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below])
  - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated

by reference therein.

7. ☐ Microfiche Computer Program (*Appendix*)  
8. ☒ Assignment papers (*cover sheet(s) and document(s)*) **Filed in parent application.**  
9. ☐ Applicant claims small entity status. See 37 CFR § 1.27.  
10. ☒ Information Disclosure Statement and PTO-1449  
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)  
12. ☐ English Translation Document  
13. ☐ Certified Copy of Application No. ; Filed  
14. ☐ Sequence Listing/ Sequence Listing Diskette  
    a. ☐ computer readable copy  
    b. ☐ paper copy  
    c. ☐ statement in support  
15. ☐ An Associate Power of Attorney  
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)  
17. ☐ Deletion of Inventor(s) (*Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).*)  
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.  
19. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate      Fee	Large Entity Rate      Fee
BASIC FEE			\$385.00	\$ 770.00
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INDEP CLAIMS	4 - 3 =	1	x 43 = \$	x 86 = \$86.00
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$856.00

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☐ Please charge my Deposit Account No. 50-0220 in the amount of \$  
☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:  
    a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.  
    b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,




David D. Beatty  
Registration No. 38,071

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5308-223CT

November 14, 2003

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Sir: Kindly acknowledge receipt of the accompanying by placing your  
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**Utility Patent Application Transmittal Letter and Fee Transmittal Form (in  
duplicate); Specification (16 pages – 7 claims); Drawings (9 sheets – Figures 1-17);  
Declaration and Power of Attorney (from parent); Information Disclosure  
Statement; Form PTO-1449; Check for \$856.00; In re: Sumakeris et al.; For:  
INDUCTION HEATING DEVICES AND METHODS FOR CONTROLLABLY  
HEATING AN ARTICLE**

Respectfully submitted,  
MYERS BIGEL SIBLEY & SAJOVEC